



CRM-3 CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Scott Lucas et al.  
Application No. : 10/803,375 Confirmation No. 5480  
Filed : March 17, 2004 Group Art Unit 2171  
For : METHOD AND SYSTEM FOR DATABASE QUERIES  
AND INFORMATION DELIVERY

Mail Stop MISSING PARTS  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ Reply to Notice Of Omitted Item(s) in a Nonprovisional Application (in duplicate);  
☒ Notice of Omitted Item(s) in a Nonprovisional Application;  
☒ Third Preliminary Amendment; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.  
☐ A fee for additional claims is required.

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The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS 40	- 40	= 0	X \$ 9 =	\$ 0.00
INDEPENDENT CLAIMS 8	- 8	= 0	X \$ 43 =	\$ 0.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$ 145 =	\$

\* If less than 20, insert 20. TOTAL \$ 0.00  
\*\* If less than 3, insert 3.

[ ] A check in the amount of \$\_\_\_\_\_ in payment of the  
filing fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any  
additional filing fees required under 37 C.F.R. § 1.16, in  
connection with the paper(s) transmitted herewith, or  
credit any overpayment of same, to deposit Account  
No. 06-1075. A duplicate copy of this transmittal letter  
is transmitted herewith.

[ ] Please charge \$\_\_\_\_\_ to Deposit Account No. 06-1075 in  
payment of the filing fee. A duplicate copy of this  
transmittal letter is transmitted herewith.

EXTENSION FEE

[ ] The following extension is applicable to the Response  
filed herewith; [ ] \$55.00 extension fee for response  
within first month pursuant to 37 C.F.R. § 1.136(a);

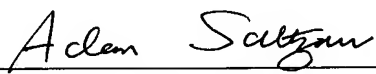
☐ \$210.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$475.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$740.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,005.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

☐ A check in the amount of ☐ \$55.00; ☐ \$210.00; ☐ \$475.00; ☐ \$740.00; ☐ \$1,005.00 in payment of the extension fee is transmitted herewith.

☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

☐ Please charge the ☐ \$55.00; ☐ \$210.00; ☐ \$475.00; ☐ \$740.00; ☐ \$1,005.00 extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,

  
\_\_\_\_\_  
Adam M. Saltzman  
Agent for Applicants  
Registration No. 52,188  
FISH & NEAVE LLP  
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1251 Avenue of the Americas  
New York, New York 10020-1105  
Tel.: (212) 596-9000  
Fax : (212) 596-9090



11-12-04

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EXPRESS MAIL CERTIFICATION

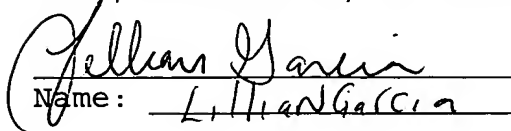
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Date of Deposit: November 10, 2004

I hereby certify that this certification and the following papers:

1. Transmittal Letter (in duplicate);
2. Reply to Notice of Omitted Item(s) in a Nonprovisional Application (in duplicate);
3. Notice of Omitted Item(s) in a Nonprovisional Application;
4. Third Preliminary Amendment

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop MISSING PARTS, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Name: Lillian Garcia



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QUERIES AND INFORMATION DELIVERY

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Hon. Commissioner for Patents  
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REPLY TO NOTICE OF OMITTED ITEM(S)  
IN A NONPROVISIONAL APPLICATION

Sir:

This is in reply to the September 23, 2004 Notice of Omitted Item(s) in a Nonprovisional Application ("Notice"), a copy of which is enclosed herewith. The Notice states that pages 5, 12 and 16 of the specification were omitted from the application.

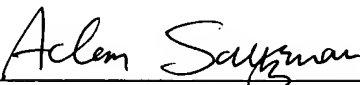
Pursuant to paragraph III of the Notice, applicants have not filed a petition pursuant to paragraphs I or II of the Notice and have accepted the application as deposited in the USPTO on March 17, 2004. This application is a continuation application of U.S. Patent Application No. 09/966,355. Concurrent with the filing of this application, the parent patent application was incorporated by reference therein. The incorporation by reference was noted in the transmittal letter for the Rule 53(b) continuation patent application and in an

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amendment to the specification in a preliminary amendment. Applicants have submitted concurrently herewith another preliminary amendment. In this preliminary amendment, applicants have amended the specification to include the subject matter on omitted pages 5, 12 and 16 from the parent patent application into this patent application in accordance with MPEP § 201.06(c) (IV).

Applicants believe that submission of this Reply requires no fee. However, if for any reason a fee is due, the Director of the U.S. Patent and Trademark Office is hereby authorized to charge payment of any fees required in connection with this Reply to Notice of Omitted Item(s) in a Nonprovisional Application to Deposit Account No. 06-1075. A duplicate copy of this letter is transmitted herewith.

Respectfully submitted,

  
\_\_\_\_\_  
Adam M. Saltzman  
Reg. No. 52,188  
Agent for Applicants  
FISH & NEAVE LLP  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

EF 230784639W

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/803,375	03/17/2004	Scott Lucas	CRM-3 CONT

1473  
 FISH & NEAVE  
 1251 AVENUE OF THE AMERICAS  
 50TH FLOOR  
 NEW YORK, NY 10020-1105

CONFIRMATION NO. 5480

FORMALITIES LETTER



\*OC000000013870445\*

Date Mailed: 09/23/2004

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 5, 12 & 16 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

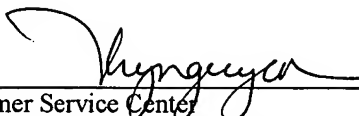
In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE